

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Group Art Unit: 2184

RICHARD W. BUSSEER

RECEIVED

Serial No.: 09/751,090

REQUEST FOR REFUND  
UNDER 37 CFR § 1.26

MAR 29 2001

Filed: December 29, 2000

Technology Center 2100

Atty. File No.: 4430-22

**EXPRESS MAIL: EL 686041108 US**

For: “RECOVERING DATA FROM  
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2001 MAR 16 AM 9:22  
US PATENT & TRADEMARK  
OFFICE

Assistant Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

This is a request for a refund in connection with the filing of the above-identified U.S. patent application.

Pursuant to § 1.28, a refund under 37 CFR § 1.26 is appropriate when small entity status is established after payment of a fee as a large entity. To establish small entity status, § 1.27(c) must be complied with. In connection with such compliance, the undersigned, as an attorney registered with the USPTO(§ 1.27(c)(2)(i)) hereby asserts that small entity status is entitled to be asserted on behalf of the assignee (applicant) for this application.

This application was filed on December 29, 2000. Consequently, this request for refund is within three months of payment of the filing fee, as required by § 1.28(a). Hence, a refund in one half the amount paid to the USPTO is warranted so that the amount of the refund is \$355 (\$710/2).

Adjustment date: 03/27/2001 NVILLARI  
01/04/2001 WARRHAM1 00000080 09751090  
01 FC:101 -710.00 DP

03/27/2001 NWILLARI 00000005 09/51090  
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0/2) one one  
 2391n. Ref: 03/27/2004 NVI ARI 0056432700  
 Date: 191970 Name/Number: 077510906  
 EC: 704 \$355.00 CR